



1722 Eye Street, N.W.
Suite 300
Washington, D.C. 20006
(202) 736-8640
Fax: (202) 736-8740

EX PARTE OR LATE FILED

RECEIVED

APR 10 1995

April 10, 1995

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

OFFICERS

S. White Rhyne
President

Henry M. Rivera
President-Elect

Alexandra M. Wilson
Secretary

James R. Hobson
Assistant Secretary

Jean L. Kiddoo
Treasurer

Patricia A. Mahoney
Assistant Treasurer

By Hand Delivery

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, Northwest
Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

In re: GC Docket No. 95-21, Amendment of 47 C.F.R.
§ 1.1200 et seq. Concerning Ex Parte Pre-
sentations in Commission Proceedings;
Request for Special Relief

Dear Sir:

EXECUTIVE COMMITTEE

Alan C. Campbell
Diane J. Cornell
Arthur B. Goodkind
William K. Keane
Harry C. Martin
Robert L. Pettit
John C. Quale
Lawrence Roberts
Gregory M. Schmidt
Richard S. Whitt
James L. Winston

The Federal Communications Bar Association (the "FCBA"), by its undersigned representatives, hereby respectfully requests the Commission to grant special relief in the referenced proceeding. Specifically, the FCBA requests the Commission to exempt from the ex parte communications rules, 47 C.F.R. Part 1, Subpart H (1994), attendance at and participation in a continuing legal education seminar that the FCBA will present on April 25, 1995, in order to discuss, inter alia, the merits of the proposals set forth in the Notice of Proposed Rulemaking in GC Docket No. 95-21, FCC 95-52, adopted and released on February 7, 1995, 60 Fed. Reg. 8995 (February 16, 1995) (the "Notice").

**DELEGATE TO AMERICAN
BAR ASSOCIATION**

Richard R. Zaragoza

EXECUTIVE DIRECTOR

Paula G. Friedman

The seminar will feature a panel composed of four persons possessing expertise in their respective fields. The FCBA wishes to include among those panelists two persons who are classified as "decision-making" personnel in accordance with 47 C.F.R. Section 1.1202(c). They are the Senior Legal Advisor to the Chairman of the

No. of Copies rec'd _____
List A B C D E _____

Mr. William F. Caton
April 10, 1995
Page 2

Commission and the General Counsel of the Commission. In addition, other persons who are defined as decision-making personnel may wish to attend and participate in the seminar.

Attendance at and participation in the seminar by such persons could be construed as presenting a possible conflict with the provisions of the current ex parte communications rules, to the extent that the merits of the proposals in the Notice would be discussed at the seminar both by such persons and in the presence of such persons by other persons who may have filed or who intend to file comments and/or replies in the proceeding in GC Docket No. 95-21.


In order to permit the seminar to take place as planned, and to benefit from the participation on the part of decision-making personnel, the FCBA requests the Commission to grant a limited exemption from the ex parte communications rules. The requested exemption would enable decision-making personnel to attend and participate in the seminar, and would also enable other persons at the seminar -- whether they have filed or will file comments and/or replies in the proceeding in GC Docket No. 95-21, or not -- to discuss the merits of the proposals in the Notice at the seminar with, and in the presence of, decision-making personnel without thereby violating the ex parte communications rules.

Inasmuch as the seminar will be a public event, there is no possibility that the requested exemption would raise concerns about improper attempts to influence the outcome of the proceeding in GC Docket No. 95-21. The FCBA will make an audiotape of the seminar and will submit a duplicate of the master tape to be included in the record of the proceeding in GC Docket No. 95-21. Those precautions should remove any concerns under the ex parte communications rules. Given the self-evident educational value of the seminar, the FCBA submits that an exemption would serve the public interest under the circumstances set forth above.

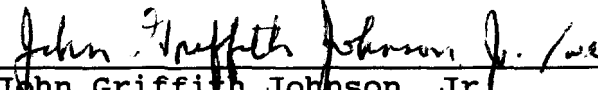
Mr. William F. Caton
April 10, 1995
Page 3

In the event that there should be any questions concerning this request, kindly direct them to either of the undersigned.

Very truly yours,



S. White Rhyne
President
Federal Communications Bar Association
c/o Mullin, Rhyne, Emmons and Topel, P.C.
1225 Connecticut Avenue, Northwest
Suite 300
Washington, D.C. 20036-2604
Telephone: (202) 659-4700
Telecopier: (202) 872-0604



John Griffith Johnson, Jr.
Chair, Ex Parte Rules Committee
Federal Communications Bar Association
c/o Bryan Cave
700 Thirteenth Street, Northwest
Suite 700
Washington, D.C. 20005-3960
Telephone: (202) 508-6146
Telecopier: (202) 508-6200

cc: Ruth Milkman, Esq.
William E. Kennard, Esq.
David S. Senzel, Esq.
(all by hand delivery)